

CHAPTER 11

AIR FIELD OVERLAY DISTRICT: "AF"

11-11-1 Purpose and Intent:

The purpose of this Chapter is to recognize the impacts and hazards associated with the operation of public, private and military airfields. It is the intent of this Chapter to promote the public health and safety in the vicinity of airfields by minimizing exposure to crash hazards and high noise levels generated by air field operations and to encourage future development which is compatible with the continued operation of airfields.

11-11-2 Definitions: As used in this Chapter, the following terms are defined:

AIRFIELD: Refers to all of the airfields in the City of Mesa, including Williams Air Force Base, and Falcon Field.

AIRFIELD SUB-DISTRICT ONE (AOD I): The area within a two thousand foot (2,000') by three thousand foot (3,000') rectangle having two (2) of its sides parallel with, and one thousand feet (1,000') from either side of an extension of the center line of a runway running three thousand feet (3,000') from the midpoint of the end of the runway.

AIRFIELD SUB-DISTRICT TWO (AOD II): The area within a three thousand foot (3,000') by five thousand foot (5,000') rectangle having two of its sides parallel with, and one thousand, five hundred feet (1,500') from either side of an extension of the centerline of runway running from three thousand (3,000) to eight thousand feet (8,000') from the midpoint of the end of the runway, but not within Airfield Sub-District One.

AIRFIELD SUB-DISTRICT THREE (AOD III): The area within a three thousand foot (3,000') by seven thousand foot (7,000') rectangle having two of its sides parallel with, and one thousand, five hundred feet (1,500') from either side of an extension of the centerline of a runway running from eight thousand feet (8,000') to fifteen thousand feet (15,000') from the midpoint of the end of the runway, but not within Airfield Sub-Districts I or II.

AIRFIELD SUB-DISTRICT FOUR (AOD IV): The area within the 75 Ldn noise contour line developed utilizing the day-night average sound level methodology of sound measurement, but not within Airfield Sub-Districts I, II, or III.

AIRFIELD SUB-DISTRICT FIVE (AOD V): The areas between the Ldn 70 and 75 noise contour lines developed utilizing the day-night average sound level methodology of sound measurement, but not within any other Airfield Sub-District as defined herein.

AIRFIELD SUB-DISTRICT SIX (AOD VI): The area between the Ldn 65 and 70 noise contour lines developed utilizing the day-night average sound level methodology of sound measurement but not within any other Airfield Sub-District as defined herein.

AIRFIELD SUB-DISTRICT SEVEN (AOD VII): The area between the Ldn 60 and 65 noise contour lines developed utilizing the day-night average sound level methodology of sound measurement, but not within any other Airfield Sub-District as defined herein.

AIRFIELD SUB-DISTRICT EIGHT (AOD VIII): Certain areas identified on the Airfield Overlay Zoning Map which experience numerous overflights by aircraft at the airfield, but not to the extent that an Ldn 60 contour is generated. These areas may result in single event noise intrusion to persons living within those areas and are outside the Ldn 60 contour.

AIRPORT HAZARD: Any structure, or object of natural growth, use of land, or item determined by FAA which obstructs or interferes with the airspace required for the flight of aircraft in landing or taking off at the airfield, and any use of land which is injurious to persons or property because of its proximity to the airfield.

Ldn: The 24-hour energy average sound level in decibels, for the period from midnight to midnight, obtained after the addition of ten decibels to sound levels for the periods between midnight and 7:00 am and between 10:00 pm and midnight as averaged over a span of three hundred sixty-five days, as established by Federal Aviation Regulation Part 150.

LAND USE, COMPATIBLE: The use of land so defined by this Ordinance.

NOISE LEVEL REDUCTION (NLR): The reduction of outside noise transmitted inside a structure achieved through the incorporation of noise attenuation into the design and construction of the structure.

RUNWAY: A defined area on an airport prepared for landing and takeoff of aircraft along its length. The runway includes any proposed new runway or runway extension shown on an Airport Layout Plan or other planning document.

TREE: Any object of natural growth.

WATER SURFACES: For the purpose of this Chapter, water surfaces shall have the same meaning as land for the establishment of protected zones.

11-11-3 Airfield Overlay Zone Height Limitations:

Except as otherwise provided in this Chapter, no structure shall be erected, altered, or maintained, in any zone created by this Ordinance to a height in excess of the applicable height limitations already established by the base zoning districts. For the purpose of this section, height limits for any structures, including those mentioned in Section 11-13-2(G), otherwise not restricted, are now so restricted.

- (A) Excepted Height Limitations: Nothing in this Chapter shall be construed as prohibiting the growth of any tree to a height up to fifty feet (50') above the surface of the land.
- (B) Proposed structures listed in 11-13-2(H) which exceed the maximum height permitted in the base zoning district would be permitted upon approval of a Special Use Permit in accordance with the Administration and Procedures Chapter. The appropriateness of the request for the Special Use Permit may be

evaluated by use of comments from the United States Air Force, the Federal Aviation Administration, and/or the Williams Air Force Base Zoning Height Map (contained in the MAG Eastside Joint Land Use Study dated June, 1988).

11-11-4 Airfield Zoning Maps and Districts:

(A) Establishment of Airfield Zoning Maps:

The several sub-districts herein established are shown on the Williams Air Force Base Overlay Map and dated June 1988, and the Official City of Mesa Zoning Map.

(B) Airfield Sub-Districts: There are eight sub-districts within the AF Overlay Zone, which shall be known as:

Abbreviated Designation	Sub-District Name
AOD I	Airfield Sub-District One
AOD II	Airfield Sub-District Two
AOD III	Airfield Sub-District Three
AOD IV	Airfield Sub-District Four
AOD V	Airfield Sub-District Five
AOD VI	Airfield Sub-District Six
AOD VII	Airfield Sub-District Seven
AOD VIII	Airfield Sub-District Eight

(C) Airfield Overlay Zoning District Boundaries: The Airfield Overlay Zoning District boundary lines shown on the official Airfield Overlay Zoning Districts Map shall be located as delineated along contour lines established in the MAG Eastside Joint Land Use Study, dated June, 1988 for Williams Air Force Base. Where uncertainty exists as to the boundaries of the Airfield Sub-Districts as shown on the official maps, the following rules shall apply:

1. Boundaries shall be scaled from the nearest physical feature shown on the map; or
2. Boundaries shall be scaled from the nearest platted lot line as shown on the map; or
3. Distances not specifically indicated on the original Airfield Overlay Zoning District Map shall be determined by a scaled measurement on the map.

(D) Where physical features on the ground differ from the information shown on the Official Airfield Overlay Zoning District Map or when there arises a question as to how or where a parcel of property is zoned or which sub-district the property is located, and such questions cannot be resolved by the application of the above rules, the property shall be considered to be classified as the more restrictive Airfield Sub-District.

- (E) Where a parcel of land lies within more than one (1) Airfield Sub-District, the sub-district within which each portion of the property is located shall apply individually to each portion of the development.

11-11-5 Permitted Uses:

The use of the land and buildings must be in compliance with the base zoning district as established by the Official City of Mesa Zoning Map, and is further limited to the permitted uses as listed for each sub-district within the overlay zone. No use listed below is allowed unless the use is included among the permitted uses and conforms to the requirements established for the base zoning district.

(A) PERMITTED USES IN AOD I WITH 0 NLR

1. Cemeteries (excluding chapels)
2. Agriculture (excluding livestock and residences)
3. Forestry activities
4. Permanent open space (low intensity facilities only)

(B) PERMITTED USES IN AOD II

1. With 35 db NLR
 - (a) Industrial and manufacturing uses (except chemical and hazardous materials)
 - (b) Metal fabrication
 - (c) Wholesale trade
 - (d) Commercial auto parking
2. With 35 db NLR, subject to a Council Use Permit (CUP) in accordance with the Administration and Procedures Chapter of this Ordinance

Chemical and hazardous materials
3. With 0 db NLR
 - (a) Cemeteries (excluding chapels)
 - (b) Agriculture (excluding livestock and residences)
 - (c) Forestry activities
 - (d) Mining activities
 - (e) Permanent open space (low intensity facilities only)

(C) PERMITTED USES IN AOD III

1. With 35 db NLR
 - (a) Manufacturing and industrial uses (except the manufacture or storage of chemical and allied products)
 - (b) Metal fabrication
 - (c) Wholesale trade
 - (d) Retail sale of building materials
 - (e) Repair services
2. With 35 db NLR, subject to a Council Use Permit in accordance with the Administration and Procedures Chapter of this Ordinance

Manufacture or storage of chemical or allied products
3. With 0 db NLR
 - (a) Cemeteries (except chapels)
 - (b) Agriculture (except livestock and residences)
 - (c) Forestry activities
 - (d) Commercial auto parking
 - (e) Mining activities
 - (f) Permanent open space

(D) PERMITTED USES IN AOD IV

1. With 35 db NLR
 - (a) Manufacturing and industrial uses (excluding the manufacture and storage of chemicals and allied products)
 - (b) Metal fabrication
 - (c) Wholesale trade
 - (d) Retail sale of building materials
 - (e) Repair services
2. With 35 db NLR, subject to the issuance of a Council Use Permit in accordance with the Administration and Procedures Chapter of this Ordinance

The storage and manufacture of chemical and allied products

3. With 0 db NLR
 - (a) Cemeteries (except chapels)
 - (b) Agriculture (except livestock and residences)
 - (c) Forestry activities
 - (d) Mining activities
 - (e) Permanent open space
 - (f) Commercial auto parking

(E) PERMITTED USES IN AOD V

1. With 30 db NLR, recording of notification on title deed recording of avigation easement, and design of site plan to minimize outdoor noise from ground sources
 - (a) Single or multiple residential uses or residential subdivision plats established prior to January 19, 1989
 - (b) Motels, hotels established prior to January 19, 1989
2. With 30 db NLR
 - (a) Educational services
 - (b) Cultural and public assembly uses, including churches and religious meeting places
 - (c) Medical and health services (excluding hospitals)
 - (d) Cemeteries
3. With 30 db NLR on residential building only
 - (a) Agriculture
 - (b) Livestock animal breeding
 - (c) Forestry activities
4. With 25 db NLR
 - (a) Manufacturing and industrial uses
 - (b) Wholesale trade

- (c) Retail uses, indoor and outdoor
- (d) Restaurants
- (e) General offices and financial institutions
- (f) Automotive repair (NLR in customer service areas)
- (g) Golf courses and outdoor recreation

5. With 0 db NLR

- (a) Mining activities
- (b) Permanent open space
- (c) Commercial auto parking

(F) PERMITTED USES IN AOD VI

1. With 25 db NLR, recording of notification on title deed, recording of avigation easement, and design of site plan to minimize outdoor sound, especially from ground sources
 - (a) Single or multiple residential uses established prior to January 19, 1989
 - (b) Motels, hotels established prior to January 19, 1989
2. With 25 db NLR
 - (a) Educational uses
 - (b) Cultural and public assembly uses, including churches
 - (c) Medical health services (excluding hospitals)
3. With 25 db NLR on residential buildings only
 - (a) Agriculture
 - (b) Livestock, animal breeding
 - (c) Forestry activities
4. With 0 db NLR

All other uses permitted within the base zoning district except development of the property for residential uses.

(G) PERMITTED USES IN AOD VII

1. With 20 db NLR, recording of an avigation easement, and recording of notification on title deed
 - (a) Single residence
 - (b) Multiple residence

2. With 0 db NLR

All other uses permitted within base zoning district

(H) PERMITTED USES IN AOD VIII

1. With 20 db NLR and recording of notification on the title deed
 - (a) Single residence
 - (b) Multiple residence

2. With 0 db NLR

All other uses permitted within base zoning district

- (I) Notwithstanding any other provisions of this Chapter, no use may be made of land or water within any zone established by this Chapter in such a manner as to create electrical interference with navigational signals or radio communication between the airfield and air craft, make it difficult for pilots using the airfield, impair visibility in the vicinity of the airfield, create bird strike hazards, or otherwise materially endanger or interfere with the landing, take off, or maneuvering of aircraft intending to use the airfield; such as buildings with reflective glass or any type of reflective/glare producing exterior, high intensity recreation type lights (especially on high standards) smoke, antennas, microwave towers, ham radio towers, land fills/garbage dumps/incinerators or high tension transmission lines.

11-11-6 Supplementary Airfield Provisions:

- (A) Avigation Easement: When a subdivision plan or lot split is required for any property within an Airfield Sub-district for any airfield, the property owner shall dedicate an avigation easement to the City over and across that property. This easement shall hold the City, public and airfield harmless from any damages caused by noise, vibration, fumes, dust, fuel, fuel particles, or other effects that may be caused by the operation of aircraft taking off, landing, or operating on or near the airfield, not including the physical impact of aircraft or parts thereof.

- (B) Notification of Buyers:

No person shall sell, nor offer for sale, any property within the Airfield Overlay District unless the prospective buyer has been notified of the fact that the property is within an Airfield Overlay District.

(C) Land Use Exemptions:

Existing subdivision plats, existing zoning, existing building permits, and any comprehensive plans adopted prior to the adoption of this Chapter are excepted from the foregoing land use prohibitions and discouragements. However, the requirements for aviation easements, sound attenuation and buyer/lessor notification apply to those exempted uses.

(D) Noise Level Reduction:

Certain areas within the City are subject to significant levels of noise from aircraft. These areas are identified on the Airfield Overlay Zoning Map and Section 11-11-5 of this Chapter. A structure which is located partly within a noise zone and partly outside, or located partly within one or more noise zones shall be considered to be entirely within the more restrictive of noise zones within which it is located.

1. A building permit shall not be issued for any structure requiring a certificate of occupancy or designed for habitation within the zones set forth in Section 11-11-5 of this Chapter unless the plans and specifications accompanying the application for said building permit have been certified by a registered Professional Engineer or registered Professional Architect in the State of Arizona as meeting the Noise Level Reduction (NLR) as set forth in Section 11-11-5 of this Ordinance.
2. The required minimum NLR applies to all portions of a structure where the public is received, office areas, public assembly rooms, sleeping areas, noise sensitive areas, or where the normal ambient noise level is low.

(E) Marking and Lighting:

Notwithstanding the nonconforming provisions of this Ordinance, the owner of any existing nonconforming structure or object of natural growth is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the City, upon recommendation by the Air Force where appropriate, to indicate to the operators of aircraft in the vicinity of the airfield the presence of such obstructions. Such markers and lights shall be installed, operated and maintain by the City, at the expense of the U. S. Air Force where such lights and markers were recommended by the United States Air Force.